

Libby Community Advisory Group

Meeting Summary

June 10, 2004

Introductions

Gerald Mueller and members of the Libby Community Advisory Group (CAG) introduced themselves. Mr. Mueller also introduced Kevin Kirley, who is replacing Craig French as the CAG representative of the Montana Department of Environmental Quality. A list of the members in attendance is attached below as Appendix 1.

Agenda

The CAG agreed to the following agenda for this meeting:

- EPA Report
- TAG Report
- CARD Report
- Public Comment

EPA Report

Jim Christiansen reported on behalf of EPA on the following topics.

Cleanup Budget - EPA has publicly announced that the Libby cleanup budget for this year has been increased by \$4 million to \$19 million. This amount is still less than the \$21 million Mr. Christiansen had requested. The additional funding came from two sources: \$2 million from EPA headquarters and \$2 million from Region 8. The Region 8 funds were transferred from its Emergency Response Program by delaying other projects. Half of the additional funds (\$2 million) will be allocated in this fiscal year for cleaning additional residences and the former Stimson central maintenance building. The other \$2 million will be used to assure that the cleanup does not run out of funds during the September-October transition to fiscal year 2005 (FY05). In recent years, EPA's budget has not been approved by the Congress prior to the onset of the fiscal year, so the \$2 million will assure that the cleanup work need not stop until FY05 funds become available. Some have suggested that all of the additional \$2 million for cleanup this year be used for residences and not for the central maintenance building. EPA will consider this request.

Flyway Cleanup - W.R. Grace has signed the administrative consent order for the cleanup of the Flyway property, which it owns. Cleanup should begin within a few weeks and last for two months. EPA will have a person on-site full time to oversee the cleanup. EPA will also collect ambient air samples during the work, and air and soil samples collected by W.R. Grace pursuant to the cleanup work plan will be analyzed in EPA approved laboratories.

BN Track Cleanup - BN has submitted a plan for cleaning the rail yard, but Mr. Christiansen has not yet reviewed it. Cleanup should begin this summer.

Moto-Cross/BMX Track - The sampling conducted by EPA at the proposed site of the track did not detect asbestos, so EPA gave the Libby Port Authority approval to continue construction. The Port Authority will build a fence around the track and will keep the track wet during its use. EPA will fence off the nearby nursery site which is contaminated with asbestos.

New Cleanup Contracts - The award of the new contracts for cleanup work has been delayed. EPA expects the new contracts to be awarded during this month so the additional work pursuant to them should begin in July.

Award to Wendy Thomi - Mr. Christiansen announced that in April Ms. Thomi received EPA's award for the National Community Involvement Coordinator of the Year.

CAG Member Question - Could you please explain what a "non-detect" sampling result means?

Answer - No analytical method can guarantee that a non-detect reading means that no amount of contaminant is present. Every analytical method has a detection limit. This limit is the lowest amount that the method can guarantee will be detected. For example, the technique used to analyze soils in Libby, polarized light microscopy (PLM), has a 0.1-0.2 % asbestos concentration detection limit. This means that a reading in the 0.1-0.2% range guarantees that asbestos is present in the sample at this level. It does not mean that PLM will not detect lower concentrations, but rather that PLM cannot reliably determine concentrations below the detection limit. Below the detection limit, when even one fiber is detected, EPA reports the concentration as a trace amount. A non-detect reading means no fibers were seen by the analytical technique, but it does not guarantee the complete absence of fibers.

CAG Member Question - In the past, EPA reported measuring fibers of a specific size and/or length to width ratio. Does the sampling still produce size information?

Answer - We have not changed sampling regarding fiber size. We still measure fiber size in air sampling, but not in soil sampling. Soil sampling is done on a mass percent (i.e., concentration) basis.

Audience Member Question - Dr. Whitehouse has said that no level of asbestos contamination is safe. Does non-detect refer to sampling or to health effects?

Answer - Cancer causing agents can cause cancers at very low levels. Perhaps only one molecule is necessary. EPA will not be able to get rid of every single asbestos fiber in Libby, but we will perform a cleanup when the risk of excess death is not acceptable. Society accepts certain levels of cancer risk as acceptable, but it is hard to set the acceptable risk level. EPA has set the acceptable risk at a level of 1 excess cancer death in a population of 10,000, which means that we are required to act when the risk would be more than 1 excess cancer death in 10,000.

Audience Member Question - Our cancer death rate in Libby is higher than 1 in 10,000. Why isn't EPA worried?

Answer - EPA is aware of the cancer rate and is taking action here to cleanup the asbestos contamination.

Audience Member Comment - Accepting a 1 in 10,000 excess death rate seems crass. People are not expendable.

Response - The 1 in 10,000 figure is a theoretical risk level. When an exposure to a given cancer causing agent is calculated to cause an excess death rate of 1 in a population of 10,000 people, EPA is compelled to act.

Audience Member Comment - On Memorial Day we put out 226 crosses, one each for person who died from asbestos exposure. Some of these deaths occurred in people who were young. We should not tolerate a non-detect level as safe.

Response - I do not want any more deaths. I wish we had an analytical method accurate at very low levels, but we don't. We will upgrade our sampling techniques as the science improves. But we have lots of samples which are not non-detect to worry about. We are focused on cleaning up the samples with detectable concentrations.

Audience Member Question - If we have more money, why isn't EPA doing more cleanups now?

Answer - We are increasing the cleanup activity. Because of monetary constraints, only 4 to 5 residences were cleaned in May. We project 20 residences will be cleaned in June and more in July. However, ramping up the cleanup rate takes time.

CAG Member Question - Could we return to the budget for this year? Was your original budget request for \$19 million?

Answer - I requested \$21 million for this year. I was promised \$17 million, but ended up with only \$15 million. I can live with the \$19 million level.

CAG Member Comment - EPA's press release said that this year's budget was increased by \$4 million to \$19 million. This is misleading because the \$19 million is less than Mr. Christiansen

requested. When we ask for the level that was originally requested, the public and the press may get the impression from the EPA press release announcing \$4 million of additional funds that the people of Libby are never satisfied. The press release should be corrected nationally.

Response - The press release should have better explained the funding situation, but EPA is unlikely to reissue it.

CAG Member Comment - The Technical Advisory Group is building the capability to respond in the press. We should explain the situation locally. We went to a lot of work here to obtain support for getting more funds, and we should explain locally that the \$4 million is not an increase in the budget but a restoration of a budget cut which is still below the requested level.

CAG Member Comment - Whoever is responsible for the \$4 million funding restoration should be thanked.

Response - I will continue to pursue the \$21 million budget level, which is the amount we can efficiently expend annually for the cleanup.

CAG Member Comment - Administrator Leavitt is still scheduled to visit here. We can ask him for the full amount.

CAG Member Question - At what rate are you spending money through the fiscal year? How much will you have spent from October 1, 2003 until July 2004?

Answer - The expenditure is generally linear, but I don't have the exact figures tonight.

CAG Member Question - How many homes have been cleaned up for each month since the beginning of this fiscal year?

Answer - Again, I don't have the numbers with me tonight, but I will email them to you. I think your questions are getting at an important issue. Any time we have less than optimum budget levels, we are wasting money because we have to pay both for the cleanup crews and the infrastructure that supports them. Rather than keeping crews working at lower levels, it may be more cost effective to stop work until conditions and budget levels allow full activity. For example, it may be for efficient to stop work during the winter months and maximize work levels during the other months.

CAG Member Question - What happened to the "see vermiculite, remove vermiculite" rule?

Answer - We are still applying it. We do not sample vermiculite attic insulation; we remove it. When we get outside, the situation is more complicated. There is too much soil to apply the "see it, remove it" rule everywhere. In high use areas, we do remove the soils when we see vermiculite. In other areas we sample for asbestos before making a removal decision.

CAG Member Question - How much money are you spending to develop better analytical techniques?

Answer - I don't know exactly, but I estimate EPA has spent several hundred thousand dollars. We began the effort by developing samples with known concentrations of asbestos. We first made up samples from quartz, then soils in Denver, and now soils from Libby. Once we have samples with known asbestos concentrations, we can test various analytical techniques. We have reports available comparing the sampling techniques using the known concentration samples.

CAG Member Question - After 9-11, Paul Peronard offered the EPA staff in New York City help based on his experience in Libby. EPA declined his assistance because they were already using the best techniques. Are the best analytical techniques being used here in Libby?

Answer - Yes. We are using the best techniques here. Where appropriate we are developing techniques here.

Audience Member Comment - We should apply tunnel vision when it comes to Libby. We should concentrate on the things we can control here, not on what happens in New York.

Response - I am focused on Libby, not New York. We are developing a risk assessment for Libby.

TAG Report

Gayla Benefield and Gordon Sullivan reported on behalf of the Libby Technical Advisory Group (TAG). Ms. Benefield, the Chairperson of the TAG Board of Directors, stated that the TAG is fully up and running. It meets every 2nd Tuesday evening from 7:00 to 9:00 p.m. in room 221 of the College. Mr. Sullivan, the TAG Technical Advisor, summarized a report which the TAG is preparing. Mr. Sullivan drafted the report which was then edited by Helen Clark and is being circulated to the TAG for review. After the Board review, the report will be released to public for comment. After the public comments, the TAG Board will again review the report and then send the final version to EPA and others. Mr. Sullivan stated that the report begins with pictures of the faces of people who have died from asbestos-related disease or who have the disease but are still living. These people are the foundation of the report and the TAG's efforts. The report lists the technical issues that the TAG is investigating on behalf of the Libby community. The list includes:

- The EPA risk assessment.
- The PLM analytical process for soils.
- The justification for leaving vermiculite insulation in the walls of residences.
- Employee health and safety - Mr. Sullivan described this issue as the most important. The TAG does not believe that OSHA asbestos standards are sufficient to protect the health and safety of the 80 people who are conducting the cleanups.
- The capacity of CDM to oversee health and safety on the cleanup jobs - Mr. Sullivan noted that if a mishap occurs on a residential cleanup, an entire neighborhood may be exposed to asbestos fibers.
- The 1% action level for cleaning lawns and gardens.
- The "Living with Vermiculite Brochure" - The TAG is interested in acting as EPA's partner in redrafting this brochure.
- Heating duct cleanups.
- Crawl space cleanups.
- Deck and porch cleanups - It may be necessary to remove and replace decks and porches to assure a safe cleanup level.
- Material at depth - The draft report concludes that rather than routinely digging below 18 inches in cleanups, contamination below 18 inches should be left in place and subsequent digging at or below this level should be subject to a permit process.

CAG Member Comment - Sampling and removing material only to an 18 inch depth would be like removing insulation from attics but not from walls. Vermiculite was used as a fill to several feet of depth.

Response by Gordon Sullivan - My feeling, which is not necessarily shared by the TAG Board, is that we should address the highest contamination risks first. A contaminated carpet may be a higher exposure risk than contamination at depth. We can institute a permit system for digging below 18 inches.

Response by Jim Christiansen - EPA is generally sampling only to a depth of 18 inches, but this depth is not a magic number. When we find high levels of contamination, we are removing soils to a depth of 4 feet.

CAG Member Question - Won't the operation and maintenance rules that address the post-EPA cleanup come into effect for contamination at depth?

Answer by Jim Christiansen - Yes.

Audience Member Question - Is the TAG still pursuing the EPA risk assessment?

Answer - Yes. The next TAG document will address the risk assessment. We intend to develop a community response to risk assessment before traveling to Denver to discuss it with EPA. We will hold public meetings on the risk assessment in August.

CAG Member Comment - I would like to publicly thank Gordon Sullivan for helping us to produce a document of which we can be proud.

Mr. Sullivan reported on four additional items. First, the TAG is reviewing the W.R. Grace work plan for cleaning the Flyway property. While work plans are important, oversight of the plan implementation is equally so. The TAG will be reviewing the oversight of the cleanup of this property. Second, as previously mentioned, the TAG is developing the capability to reach out to the press and public. A subcontract to the technical advisor contract will be issued for community communications including the media. Third, the TAG will be developing comments on cleanup cost containment. Finally, training for the TAG Board will be conducted in July. At that time, the Board will develop a mission statement and goals and objectives.

CARD Clinic Report

Mike Giesey, President of the CARD Clinic Board of Directors, reported on behalf of the CARD Clinic on the following topics.

New Building - The CARD Clinic has outgrown its existing facility and therefore has used funding from a community block grant to purchase the former offices of Dr. Bruce. We will move into it for a year or two and then plan to build or buy another building closer to the hospital.

Research Facility - On June 18, representatives of the CARD Board will travel to Washington DC for a meeting convened by Senator Baucus to discuss methods for pursuing funding for an asbestos disease-related clinical research facility in Libby. Dr. Whitehouse and representatives of Senator Burns and Congressman Rehberg will also be participating in the meeting. Normally, research funding is funneled to universities. We, however, want to build a facility in Libby to make sure that people here can benefit from the research. We have the exposed population base here, which is a prerequisite for research.

CARD Clinic Open House - CARD will host an open house on July 9 from 7:00 - 9:00 p.m. to celebrate its one year anniversary.

HNA Meeting - Health Network of America will hold a public meeting on the W.R. Grace medical plan on June 28 in Libby.

Audience Member Question - Will CARD be competing for research funding with the University of Montana (UM)?

Answer - No. We will be working with UM's Dr. Holian on the research facility funding. Both Dr. Holian and Dr. Putman will be attending the June 18 meeting in Senator Baucus' Office. Because we have the exposed population here, we can collect clinical research data here and provide it to researchers at other institutions such as UM. We hope in return to be able to offer new treatments and drugs to people here affected by asbestos-related disease. CARD's bottom line is to look out for folks here in Libby. We are also assisted in our efforts by an advisory committee of asbestos disease researchers, the Committee for Asbestos Related Research.

CAG Member Question - Will the CARD Clinic be able to provide long-term health care as a part of its clinical research?

Answer - Long-term health care is not our major goal; providing clinical research that might develop treatment and/or a cure for asbestos-related disease is.

Public Comment

CAG Member Question - Has the W.R. Grace Medical Plan which is administered by HNA been peer reviewed?

Answer by Alan Stringer - I am not sure what you mean by peer reviewed. It has been reviewed by medical doctors. You can ask more about this at the HNA meeting on June 28.

Next Meeting

Because the regular CAG meeting date in July would fall during the week of the July 4th holiday, the CAG decided to postpone its next meeting until August. The next CAG meeting is, therefore, scheduled for 7:00 to 9:00 p.m. on Thursday, August 12, 2004 in the Ponderosa Room of Libby

City Hall.

Appendix 1

CAG Member & Guest Attendance List June 10, 2004, 2004

Members	Group/Organization Represented
Mike Giesey	CARD
Gordon Sullivan	Self and TAG
David F. Latham	<i>The Montanian Newspaper</i>
Wendy Thomi	EPA Community Involvement
Jim Christiansen	EPA Project Manager
LeRoy Thom	LAMP
Gayla Benefield	TAG-LCAVRO
Gary D. Swenson	Libby Volunteer Fire Department
Norita Skramstad	Asbestos Victim
Clinton Maynard	Area Asbestos Research Group